THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.7133 of 2005

10-08-2005

Between:

N.Ramesh Babu, E-105381, Conductor, Barkatpura Depot, S/o Anantharam, age 43 years, R/o Barkatpura, Hyderabad.

... PETITONER

AND

The Depot Manager, APSRTC, Barkatpura, Hyderabad.

.....RESPONDENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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ORDER:

This writ petition is filed aggrieved by the action of the respondent in issuing the impugned proceedings cancelling the additional increments which were sanctioned to the petitioner as Personal Pay w.e.f., 01.08.1993 on obtaining B.A., Degree.

According to the petitioner, he joined the respondent-Corporation as a Conductor on 13.07.1985. While he was working at Dilsukhnagar Depot, he appeared for B.A., Examinations and passed the same. Based on the representation of the petitioner, the respondent passed orders granting three additional increments as Personal Pay w.e.f., 01.08.1993 for obtaining the Graduation Certificate. The petitioner enjoyed the said benefit for more than ten years. However, under the impugned order, the respondent has withdrawn the said benefit by cancelling it without there being any specific reason and without even issuing a notice to the petitioner before passing the impugned order. Therefore, the petitioner sought for setting aside the impugned order.

At the time of hearing, the learned counsel for the petitioner contended that on the simple ground of violation of principles of natural justice, the impugned order is liable to be set aside.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

As three additional increments granted to the petitioner as early as in the year 1993 were cancelled under the impugned order without issuing any show cause notice and without giving any opportunity to the petitioner, the impugned order is set aside for violation of

principles of natural justice. However, it made clear that if there are any grounds for cancellation of the additional increments granted to the petitioner, the Corporation is at liberty to take action duly following the procedure contemplated under law.

The writ petition is accordingly allowed. No costs.

10.08.2005

VGB